



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR § 1.114
TRANSMITTAL

Docket No.: 19603/3296 (CRF D-2098B)

Examiner: G. Bugaisky

Art Unit: 1653

Cnfrm. No.: 3745

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APR 30 2003

Commissioner for Patents
Washington, D.C. 20231
BOX: RCE

TECHNOLOGY CENTER R3700

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of prior application number 09/596,784, filed on June 19, 2000, of Adam J. Bogdanove, Jihyun Francis Kim, Zhong-Min Wei, and Steven V. Beer entitled **HYPERSENSITIVE RESPONSE ELICITOR FROM *ERWINIA AMYLOVORA*, ITS USE, AND ENCODING GENE.**

This Request is accompanied by submission(s) pursuant to 37 CFR § 1.114(b) and other materials as follows:

- ☒ Enter the amendment previously filed on April 4, 2003 under 37 CFR 1.116 in the prior nonprovisional application.
- ☐ An amendment (___ pages) is enclosed.
- ☐ A new power of attorney is enclosed herewith.
- ☐ Information Disclosure Statement (IDS) with PTO-1449 form (in duplicate) and copy of the reference(s) are enclosed herewith.
- The filing fee is calculated on the basis of the claims existing in the prior application as amended above:

| | (Col. 1) | | (Col. 2) | (Col. 3) | a) SMALL ENTITY \$375 | b) LARGE ENTITY \$750 |
|-------------------------------------------------------------------------|-------------------------------------------|----------|---------------------------------------|------------------|------------------------|-----------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADD'L FEE |
| BASIC FEE | XXXXXXXX | XXXXXXXX | XXXXXXXXXX | XXXXXXXXXX | XXXXXXXX | \$375 |
| TOTAL | 14 | MINUS | 20 | 0 | a) \$ 9 = b) \$18 = | \$ 0 |
| INDEP | 1 | MINUS | 3 | 0 | a) \$42= b) \$84 | \$0 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | | See fee | \$0 |
| <input type="checkbox"/> Extension of Time Fee (___ Months) | | | | | Schedule | |
| | | | | | TOTAL | \$375 |

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375.00 OP


6. ☒ A check in the amount of **\$375.00** is enclosed to cover the above filing fee.
7. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
8. ☒ The Commissioner is hereby authorized to charge fees which may be required, or credit overpayment to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.
9. Small entity status:
- ☒ Applicant claims small entity status. (See 37 CFR 1.27.)
- ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ is no longer claimed.
10. ☒ A self-addressed, prepaid postcard for acknowledging receipt.
11. Other:

Address all future communications to (may only be completed by Applicant, or attorney or agent of record):

Michael L. Goldman
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Clinton Square
P.O. Box 31051
Rochester, New York 14603-1051

Respectfully submitted,

Date: April 22, 2003


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| Certificate of Mailing - 37 CFR 1.8(a) | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office P.O. BOX 2327 Arlington, VA 22202, on the date below. | |
| Date <u>4/22/03</u> | <u>Wendy L. Barry</u> Wendy L. Barry |